

# UNITED STATES DISTRICT COURT

for the

Middle District of North Carolina

United States of America  
v.  
MICHAEL VINCENT DAMBA

Case No.

1:18MJ 199



Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 6, 2018 in the county of Davidson in the  
Middle District of North Carolina, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 2252A(a)(5)(B)

Possession of Child Pornography

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.

*Tara S. Thomas*

Complainant's signature

Tara S. Thomas, Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date:

07/11/18

*L. Patrick Auld*

Judge's signature

City and state:

Greensboro, North Carolina

L. Patrick Auld, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF AN  
ARREST WARRANT AND A CRIMINAL COMPLAINT**

I, Tara S. Thomas, a Special Agent with the Federal Bureau of Investigation, being duly sworn, depose and state as follows:

**AFFIANT**

I am a Special Agent (SA) of the Federal Bureau of Investigation (FBI), and have been since March of 2008. I am currently assigned to the Charlotte Division and stationed at the Greensboro Resident Agency. Prior to joining the FBI, I worked in law enforcement for over nine years as a police officer and sheriff's investigator. I have been the case agent or supporting agent in numerous investigations, including investigations involving national security, violent gangs, weapon and drug violations, child pornography, kidnapping, and computer intrusions. I have received training in the area of child pornography and child exploitation, and have had the opportunity to observe and review numerous examples of child pornography (as defined in 18 U.S.C. § 2256) in all forms of media including computer media.

**PURPOSE OF AFFIDAVIT**

This affidavit is made in support of a request for an arrest warrant for Michael Vincent DAMBA, born March 30, 1977, for violation of Title 18 of the United States Code, Section 2252A(a)(5)(B), Possession of Child Pornography, based upon DAMBA possessing 13 videos depicting child pornography,

including the sexual molestation of a minor under the age of nine years old, as well as more than 400 pictures depicting child pornography.

### **SOURCES OF INFORMATION**

The statements in this affidavit are based on information provided to me by other Federal Bureau of Investigation agents, local law enforcement officers, as well as my own investigation. Since this affidavit is being submitted for the limited purpose of securing a search warrant, I have not included each and every fact known to me concerning this investigation.

### **INVESTIGATION**

On March 6, 2018, Michael Vincent DAMBA checked into a hospital in Rowan County for suicidal ideation. DAMBA spoke with a therapist by telecommunication and told the therapist that he had been sexually inappropriate with two male children. DAMBA provided the identities of the children. Herein, they will be referred to as Minor-1 (currently less than twelve years old) and Minor-2 (currently older than 12 and less than 18 years old).

After speaking with DAMBA, the therapist contacted the Department of Social Services (DSS) and reported the sexual abuse. The therapist informed DSS that DAMBA was in trouble at his job for stealing methadone and that he had been stealing and injecting methadone for four years. According to the

therapist, DAMBA stated that he has approximately 3 or 4 videos and pictures involving sexual acts with Minor-2. DAMBA further stated that he has videos on his phone involving Minor-1 and Minor-2, specifically videos of Minor-2 laying on top of Minor-1 naked. DAMBA also reported that he possessed a video of Minor-2 masturbating while lying on Minor-1.

On March 7, 2018, two Rowan County Sheriff's Office detectives and a social worker responded to the hospital and interviewed DAMBA. DAMBA confessed to sexually molesting Minor-1 and Minor-2 and that he took nude pictures of both minors. DAMBA admitted he has a collection of child pornography, including the photographs he took himself of Minor-1 and Minor-2. DAMBA told the Rowan County Sheriff's Office detectives that his collection of child pornography is stored on his computers and other electronic devices at his residence.

On March 7, 2018, Lexington Police Department obtained and executed a state search warrant for DAMBA'S residence, an apartment he shares with his mother in Lexington, North Carolina 27295, in the county of Davidson, and seized multiple electronic devices. In particular, one storage device Lexington Police Department seized was a black-in-color 8 gigabyte micro SD card bearing the numbers 1516RS77694 and the designation of being made in Taiwan. This card was found on the floor of DAMBA's bedroom.

On March 13, 2018, DAMBA was released from the hospital. He was arrested by Rowan County Sheriff's Office for Dissemination of Obscene Material to a Minor based on DAMBA's statement that he sent pictures of his genitalia to Minor-2. On April 25, 2018, DAMBA was released from jail on a \$25,000 secured bond. His conditions of release were to have no contact with Minor-1 or Minor-2.

On July 9, 2018, I obtained a federal search warrant for the electronic devices seized by Lexington Police Department from DAMBA's home. During my review of the evidence, I searched the SD card described above. The SD card contained 640 files. I observed 13 child pornography videos on the SD card. Two of the videos are described below:

a. A video entitled Movie\_0001(1).wmv depicts DAMBA filming a sexual interaction among himself, Minor-1 and Minor-2. DAMBA is depicted setting up a camera in front of a bed. The minors are naked lying on the bed. The video depicts sex acts including minors engaged in oral sex and the digital penetration of minors. The video lasts approximately 11 minutes and 59 seconds. The metadata on the video shows it was created on November 15, 2016.

b. A video entitled Movie\_0001.wmv depicts DAMBA sexually molesting Minor-2, by engaging in masturbation and oral sex with the minor. The video

lasts approximately 6 minutes and 58 seconds. The metadata on the video shows it was created on November 25, 2016.

In addition to the videos, I observed more than 400 images of child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), including approximately 200 photographs of Minor-1 engaged in sexual acts or lewdly and lasciviously displaying his genitalia. I observed approximately 8 photographs of Minor-2 I deemed child pornography, as defined in Title 18, United States Code, Section 2256(8)(A).

#### **PROBABLE CAUSE**

There is probable cause to believe that on or about March 6, 2018, in the Middle District of North Carolina, Michael Vincent DAMBA did knowingly possess multiple videos and images depicting child pornography, all in violation of 18 U.S.C. § 2252A(a)(5)(B), Possession of Child Pornography.

**WHEREFORE**, your Affiant submits that this Affidavit supports probable cause for a warrant to arrest MICHAEL VINCENT DAMBA for Possession of Child Pornography, in violation of 18 U.S.C. § 2252A(a)(5)(B).



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TARA S. THOMAS  
SPECIAL AGENT  
FEDERAL BUREAU OF INVESTIGATION

Sworn and subscribed before me this 11<sup>th</sup> day of July 2018.



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THE HONORABLE L. PATRICK AULD  
UNITED STATES MAGISTRATE JUDGE